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4 U.S. BANK NATIONAL ASSOCIATION  
5 AS TRUSTEE FOR GSR MORTGAGE  
6 LOAN TRUST 2006-AR1,

7 Plaintiff,  
8  
9 v.  
10

DENNIE MORELAND,  
11 Defendant.  
12

Case No. [14-cv-00523-JSC](#)

**ORDER OF REASSIGNMENT AND  
REPORT AND RECOMMENDATION  
THAT CASE BE REMANDED**

Re: Dkt. No. 5

13 Plaintiff brought this state law unlawful detainer action against Defendant Dennie  
14 Moreland in the Superior Court of California for the County of Alameda. Defendant Moreland,  
15 representing himself, subsequently purported to remove the action to this Court on the basis of  
16 federal question jurisdiction. (Dkt. No. 1.) Defendant asserts that the Court has jurisdiction under  
17 28 U.S.C. section 1331 due to Plaintiffs' alleged violations of the Real Estate Settlement  
18 Procedures Act, ("RESPA"), 12 U.S.C. § 2601. (*Id.* at ¶ 3.)

19 By Order filed February 12, 2013, the Court concluded that it does not have federal  
20 question jurisdiction and that the case was not properly removed under diversity jurisdiction.  
21 (Dkt. No. 5.) Accordingly, the Court ordered Defendant to show cause in writing on or before  
22 March 4, 2014 why this action should not be remanded to the Superior Court of California for the  
23 County of Alameda. As of the date of this Order, Defendant has not responded to the Order to  
24 Show Cause nor otherwise communicated with the Court.

25 As neither Plaintiff nor Defendant has consented to the jurisdiction of a magistrate judge,  
26 this case must be reassigned to a district court judge. Because the undersigned magistrate judge  
27 concludes that there is no basis for federal jurisdiction, it RECOMMENDS that the action be  
28 remanded to state court.

## IT IS SO ORDERED.

Dated: March 12, 2014

Jacqueline S. Corley  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge